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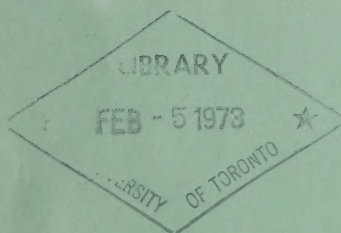
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MINISTRY OF COMMUNITY AND SOCIAL SERVICES

Honourable Rene Brunelle
Minister

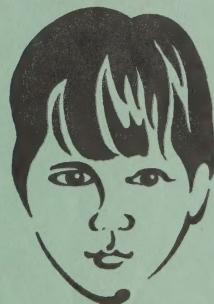
M. Borczak
Deputy Minister

General publications
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Government
Publications

**ADOPTION
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**ADOPTION
PROCEDURE
IN ONTARIO**
Under the
**Child Welfare
Act
1965**

ADOPTION PROCEDURE IN ONTARIO

1971

INTRODUCTION

Adoption is becoming increasingly popular. This is not surprising, as it is a natural desire of childless couples to seek children by adoption. Our growing awareness of the plight of children deprived of normal home life also contributes to the demand for children.

Years ago, couples opened their doors to children without bothering too much about formal arrangements or legal action. The child took the family name and became as far as possible "one of the family". In many ways this was unsatisfactory to both parents and child. There was little security for the child, and his identity and legal rights could easily become lost. The "adopting" parents could never be free of the gnawing fear that something might arise at any time to upset the "adoption".

Fortunately, the picture is much brighter today. Legal adoption through recognized social agencies is now a well planned process, leading to a court order making the child the legal child of adoption parents as though born to them.

WHAT IS ADOPTION?

Adoption is a legal and social process which establishes the relationship of parent and child between persons who are not related in this way by nature. Adoption also severs the relationship which existed formerly between the child and his parents. If adoption is to serve its true purpose it must protect the rights of the three parties involved; the child, the natural parents, and the adopting parents.

ADOPTION IN ONTARIO

In Ontario, the making of adoption orders is governed by The Child Welfare Act. This Act sets down the requirements which must be met before the court may make adoption orders. It also states the means by which the natural parent consents to the adoption of a child. If a child has been made a ward of the Crown the consent of the natural parents is not necessary, as their rights were terminated at the time of the crown wardship order. Finally, The Child Welfare Act establishes that guardianship of the child changes when an adoption order is made. At that time, the rights, duties, obligations and liabilities of the natural parent are terminated and, in turn, are vested in the adopting parents, "as if the adopted child had been born in lawful wedlock to the adopting parent".

Most adoptions in Ontario are handled by the 51 Children's Aid Societies. These agencies have long experience in child welfare, including adoption work. While it is possible for couples to obtain a child privately for adoption, there are in this approach many pitfalls for the unwary. Your Children's Aid Society is the best source of information and help for persons seeking a child by adoption. At the end of this booklet you will find the address of your Children's Aid Society where you will find your inquiry about adoption will be regarded as confidential.

WHY ARE CHILDREN ADOPTED?

Perhaps you or a couple you know have thought about adopting a child. The reason may seem very simple. The inability to have children is, of course, a basic reason. Most couples believe that marriage is richer and more complete with children to form a family group. In addition, the thought of how much they can offer a homeless child is present in the minds of most applicants.

The possibility of other and less desirable motives cannot be overlooked. A couple may seek an heir to carry on their name; others may have been advised to adopt a child to give them an interest "outside themselves", or to help them forget a personal tragedy. Unwisely, a couple may look to an adopted child to cement a wavering marriage. Fear of childbirth may be the basic consideration in another application.

Whatever the reasons which prompt the desire to seek a child for adoption, you will be wise to examine them honestly. Then, when you make your decision either to go ahead with your request for a child or not, you will be able to do so with confidence.

WHO ARE THE CHILDREN TO BE ADOPTED?

The children available for adoption are those whose parents are unable to care for them. Many are born to unmarried parents. When the children of married parents are placed for adoption, it is usually the result of family breakdown, so serious as to make rehabilitation of the home impossible.

Perhaps you have heard conflicting stories of the great numbers of children waiting for adoption and at the same time the difficulties some applicants face in obtaining a child. Why is a long wait necessary in some cases?

All children who are deprived of normal home life are not available for adoption. Many are in the temporary care of Children's Aid Societies while efforts are made to restore the balance of good family life in their home. Often children in temporary care can be returned home, a happier outcome than any substitute plan. Other children who need good homes and loving parents are considered "hard to place" because they are beyond the baby or infant stage, which most applicants prefer. These children need homes and there is much satisfaction and challenge in raising an older child.

Physical defects or handicaps, the presence of multi-racial characteristics, strong ties with brothers and sisters which make separate placement unwise - all contribute to children who could benefit from having a permanent place in a family unit, being considered "hard to place".

Delay in placement of the neglected child may be deliberate. Separation from parents is very disturbing for the child. He may be so upset by this experience - no matter how unsatisfactory his own parents were - that he cannot immediately begin to love new parents. For this reason a settling period of time in a foster home or institution may be best for him. In the foster home or institution, the child can be prepared for different and more permanent kind of care, and the society will use this time to study him and to help decide the plan most suitable.

WHY ADOPT THROUGH A CHILDREN'S AID?

Isn't there a lot of "red tape" in adopting through an agency? You may have heard this asked by those who have thought of taking a "short cut" means of obtaining a baby privately. One should think carefully about this; any procedure which involves the rights, responsibilities and emotions of three sets of people - the child, the natural parents and the adopting parents - must be scrupulously well planned to insure the protection of all concerned. Adoption through a Children's Aid Society offers the most carefully developed way of obtaining a child for adoption.

Before placing any child for adoption, the society will have taken steps to ensure that the child is legally free for adoption. This may mean that the natural parents have consented to adoption or that the society has been given guardianship by the court. Couples who obtain a child privately, sometimes overlook this first essential step. They either neglect to get the mother's consent, or they obtain an improper form of consent, and thus only a delay in completing the adoption will result; in some tragic cases it is not possible to ever have an adoption order made.

The Children's Aid Society will know all the facts that can be found about the parents of children under its supervision. While the child has been in boarding care, even for a brief period, the society has had an opportunity of observing his development. The society will plan carefully in placing for adoption a child whose background is unknown or whose total assessment indicates that he may not develop normally. Such a child is not necessarily "unadoptable" but special care is needed in placement, and the adopting parents must be fully aware of the responsibility they assume in agreeing to adopt this child.

Knowing something about your adopted child before placement is one of the important differences between society placements and private placements. In the agency process the "unknown" is kept to a minimum. The society will share its knowledge with you and will work with you after placement until the adoption order is made. Thus you will be sure that all legal requirements have been met, that all papers have been properly filled out, and that there is no impediment to this child becoming your own.

YOU AND THE SOCIETY - WORKING TOGETHER

It is important to protect the child from unnecessary separation from his natural parents. It is equally important that he be protected from adoption by persons who are unsuited to the responsibility of raising him. Some adults may not have the capacity to become good parents. Some who are excellent parents to their own children find it impossible to accept and love an adopted child in the same way. The society thus has a responsibility to protect adoption applicants against taking on a task for which they are not fitted.

Because there is not always an adopted child for every applicant, the Children's Aid Society must be selective in deciding which home of the many good ones available will provide for a particular child the greatest assurance of future happiness and sound development. The standards applied in reaching this decision have been developed through years of experience. New knowledge gained from psychiatry, psychology and child development studies has strengthened the belief that every child needs love freely given and continuous through infancy and childhood. This love is most effective when it is given spontaneously through adults who are so secure in their own relationships that they are able to extend their love to encompass and embrace a child. Your contacts with the Children's Aid Society will be through the social worker who talks with you about your application and visits your home. The social worker will talk with you about yourself, your home, your family life, your ideas of child care. You will also discuss how you and the society will work together if your application is approved. Sometimes these discussions are in groups, rather than on an individual basis.

You will then have a chance to form a better picture of adoption. You may have questions about some part of the procedure, and the social worker can help answer these. You may have some lingering doubts as to whether adoption is really what you want. You will be encouraged to express these doubts and talk them over with your worker. You will be asked to share a great deal of yourself with the social worker. She will be interested in the kind of person you are. She will want to know about your health, your school and work experience, your hobbies and social interests, and health history of others in your family. You may be asked to share information that you regard as highly personal. It will be easier to share this, knowing how essential it is to the society to have a child fit happily into your home. You may be sure that the information you give will be treated as confidential.

Does the quality of your marriage and the atmosphere of your home contain the elements of harmony and security necessary for a growing child? Can you respect the child as a person in his own right, with his own scheme of development, his own potentiality and limitations? Can you look beyond his infancy and early childhood when his smiles melt your heart? Can you foresee in the future, and accept without dismay the possibility of tears - some his and some your own? Are you a happy married couple of suitable age for the child you seek? Are you in good health? While your home may not be lavish, or your income high, do you enjoy freedom from worry about employment? Have you reasonable assurance of security in the future?

The society will ask permission to interview persons you give as references. You will be asked to give proof of your marriage. You may be asked to submit a report of a recent physical examination by your doctor.

Finally, you will be happy to know that the society will not expect you to be a perfect couple with no problems whatever!

SINGLE PARENTS

The Child Welfare Act states under section 72. --"(1) The court shall not make an adoption order,

(a) where the applicant is under twenty-one years of age or, in the case of a joint application by a husband and wife, where the husband is under twenty-one years of age;

(b) where the applicant is a male and the child sought to be adopted is a female under twenty-one years of age; or

(c) where the applicant is unmarried, a widow, widower or a divorced person,

unless the court is satisfied that there are special circumstances that justify, as an exceptional measure, the making of the order."

In good adoption practise the focus must be kept on the child. We believe a child has a right to two parents, so only in very exceptional circumstances are single parents considered.

WHEN YOUR HOME IS APPROVED

You may still have to wait some time before a child that suits your home is available. Some of the reasons for this have been mentioned. Naturally you will want a child who will fit readily into your family. The first objective of the society is, of course, the welfare of the child. This means finding the right home for him, rather than finding a child for the applicants. Adopting parents share in deciding upon the child they adopt and have the assistance of an experienced person in making their choice.

RESOURCES

Bulletin:

It is possible there is a child in the care of your local society who could fit into your home. If not, the society can list your home on the Adoption Resource Exchange Bulletin, published by the Child Welfare Branch twice a month. This is a catalogue of families and children. It goes to all the Children's Aid Societies in the province, and to each of the other provinces and to the Adoption Resource Exchange of North America.

RESOURCES ON BEHALF OF CHILDREN.

Today's Child:

In addition to the above mentioned bulletin, the Child Welfare Branch also underwrites the column Today's Child, written by Helen Allen. This column is syndicated through approximately 20 daily newspapers and 123 weekly papers. Families interested in these children are encouraged to write to the listed Box number or to get in touch with their local Children's Aid Society. The child can be identified through the Child Welfare Branch and the society where he is advised of your interest in him.

Family Finder:

In addition to Today's Child, we have a television program known as Family Finder which features children available for adoption. This is really a television version of Today's Child. Children from Children's Aid Societies all over the province come to Toronto for the show. Helen Allen, the writer of Today's Child is one of the hostesses on the show. Interested applicants may write to the Box number given and are referred in the same manner as Today's Child.

This program is a public service gesture on behalf of adoptable children made available, without charge, through CFTO Channel 9 in Toronto, and circulated without charge to twelve other television stations in Ontario. It is now in its third season. Many children have been adopted as a result of appearing on this program. We hope it will continue as one of our valued resources.

RESOURCES ON BEHALF OF CHILDREN (cont'd)

A.R.E.N.A.

The Adoption Resource Exchange of North America is located in New York City and operated by the Child Welfare League of America. This is a clearing house used by adoption agencies in both Canada and the United States. Children's Aid Societies are encouraged to use this resource on behalf of both their children and approved families after the provincial resources have been used.

NOW HE IS IN YOUR HOME

The Child Welfare Act recognizes the importance of delaying the completion of the adoption long enough to ensure that the placement will be a happy one. The adoption order will not be made until the child has been with the adopting parents six months or more. During this period you and the Children's Aid Society will continue working together. The help and advice of the society will be available to you, and the society will expect you to share with your social worker any difficulties which seem to require talking over together. If the child you adopt is an older child, he may need to talk with you about his natural parents and his earlier experiences. It will be a good sign if he can talk freely with you, but you may need help with your own feelings, so that you can listen with understanding and kindness. There may be many times when you will want to consult your social worker. As the child becomes more and more a part of your family these occasions will become less frequent. It is seldom that problems arise of such gravity as to suggest that an adoption placement will not work out. In such an event, however, it would be the responsibility of the society to discuss with you some other plan for the child. When the adoption is completed the formal contact between you and the agency will end. But the society will always be there to help you with any problems or question you may have.

TELLING YOUR CHILD ABOUT ADOPTION

You would be well advised to tell your adopted child the truth about his status. It is best not to wait until he is old enough to understand completely the meaning of being adopted. A simple explanation at first will satisfy him until he is able to ask questions and understand the whole story. If, as he grows up, he can never recall a time when he didn't know he was adopted, it is unlikely that the fact of having been adopted will ever trouble him.

Some well meaning adopting parents conceal the truth in the hope that it will never be known. It is almost inevitable that the adopted child will learn some day, and the shock of finding that his parents did not confide in him earlier may be very disturbing indeed.

WHAT DOES ADOPTION COST?

The Children's Aid Society's adoption service is free. The courts of Ontario require a fee of \$8.00 for the filing and entering of each adoption order.

BIRTH CERTIFICATE

When you receive the adoption order you may apply to the Registrar General of Vital Statistics, Toronto, for a birth certificate for your child in your name. The cost of this is \$2.00. The fact of his adoption will not be shown on the certificate.

NOW HE IS ONE OF YOUR FAMILY

He bears your name. He has the right to inherit from and through you. Perhaps the greatest joy of having adopted this child - is to learn that he has adopted you! If you have found your son or daughter through the Children's Aid Society you can be sure that you and your child are protected legally. The road ahead may not always be smooth and clear; it seldom is for any parent - but family life has many rewards.

For further information about adoption, we are attaching a recommended reading list. (see pages 10 and 11.)

Ministry of Community and Social Services

CHILDREN'S AID SOCIETIES

<u>COUNTY</u>	<u>ADDRESS</u>	<u>TELEPHONE NUMBERS</u>
Algoma	123 March Street	Slt. Ste. Marie (705) 949-0162
Brant	Box 774 (70 Chatham)	Brantford (519) 753-8681
Bruce	Box 279 (County Bldg.)	Walkerton (519) 881-1822
Dufferin	Court House. 51 Zina St.	Orangeville (519) 941-1530
Elgin	27 Southwick	St. Thomas (519) 631-1492
Essex	690 Cataraqui St.	Windsor (519) 252-1171
Essex R. C.	Box 306 Walkerville Postal Stn. (1700 Assumption)	Windsor (519) 256-3176
Frontenac	Box 357 (173 Princess)	Kingston (613) 542-7351
Grey	Box 129 (715 3rd Ave. E.)	Owen Sound (519) 376-7893
Haldimand	Box 909 (653 Broad W.)	Dunnville (416) 774-7471
Halton	48 Hugh Street	Milton (416) 878-2375
Hamilton-Went.	143 Wentworth St. S.	Hamilton (416) 522-1121
Hamilton R. C.	627 Main St. East	Hamilton (416) 525-2012
Hastings	Box 186 (311 Front St.)	Belleville (613) 962-9291
Huron	Dr. 218 (181 Victoria)	Goderich (519) 524-7356
Kapuskasing	Box 188 (Model City Mall)	Kapuskasing (705) 335-2301
Kawartha-Haliburton	570 Water Street	Peterborough (705) 745-4679
Kenora	221 Main St. South	Kenora (807) 468-5508
Kent	Box 157, 435 Grand Ave. West	Chatham (519) 352-0440
Lambton	Box 41, (720 N. Christina)	Sarnia (519) 337-3231
Lanark	Box 173, (67 Beckwith E.)	Perth (613) 267-3140
Leeds & Grenville	Box 549 (R. R. #1)	Brockville (613) 342-0310
Lennox & Addington	Box 86 (41 Dundas West)	Napanee, (613) 354-4724
London & Middlesex	Box 848, Stn. "B" (164 Albert St.)	London (519) 434-8461
Muskoka	Box 1107, (62 Kimberley)	Bracebridge (705) 645-4466
Niagara Region	Box 516 (311 Geneva)	St. Catharines (416) 685-1731
Nipissing	152 Oak St. East	North Bay (705) 472-0910
Norfolk	Box 601 (County Building)	Simcoe (519) 426-4290
Northumberland & Dur.	230 Walton Street	Port Hope (416) 885-8131
Ontario	Box 321 (200 John West)	Oshawa (416) 723-5211
Ottawa	1370 Bank Street	Ottawa (614) 733-0670
Oxford	Box 312 (92 Light St.)	Woodstock (519) 537-3425
Parry Sound	76 Church Street	Parry Sound (705) 746-5851
Peel	118 Queen W. Brampton	Tor. No. (416) 451-2150
Perth	Box 278, (380 Hibernia)	Stratford (519) 271-5290
Porcupine	54 Algonquin Blvd. E.	Timmins (705) 264-4257
Prescott & Russell	Box 248 (Main St.)	Plantagenet (613) 673-5148
Prince Edward	Box 1510 (6 Ross St.)	Pictou (613) 476-2765
Rainy River	512 Central Avenue	Ft. Frances (807) 274-3281
Renfrew	Box 624 (R. R. #1)	Pembroke (613) 735-6866
Simcoe	30-B Poyntz St.	Barrie, (705) 726-6587
Stor. Dund. & Glen.	Box 994 (27 York St.)	Cornwall (613) 933-2292
Sudbury-Manitoulin	1492 Paris Street	Sudbury (705) 675-2451
Temiskaming	Box 1084 (64 Govt. West)	Kirkland Lake (705) 567-9201
Thunder Bay	Box 27, Stn. "P" 309 Southcourt	Thunder Bay
Toronto	33 Charles Street East	Toronto (416) 924-4646
Toronto R. C.	26 Maitland St.	Toronto (416) 925-6641
Waterloo	355 Charles St. E.	Kitchener (519) 576-0540
Wellington	Box 1088 (55 Delhi St.)	Guelph (519) 824-2410
York	288 Cawthra Blvd.	Newmarket (416) 895-2318
		Tor. No. (416) 362-1022

SUGGESTED READING LIST

- "An Adopted Child Looks at Adoption" Carol S. Prentice, 1940
Published by: D. Appleton,
Century Co., New York.
- "The Adopted Break Silence" by Jean Paton, 1954
Issued by Life History Study
Center, 222 North Hicks Street,
Philadelphia 2, Pennsylvania.
- "Three Trips Home" Jean M. Paton
Published by: Life History Study
Center, P. O. Box 1,
Acton, California.
- "Adopted Children - How They grow Up"
(a study of their adjustment as adults) by Alexina May McWhinnie
Published by: Routledge & Kegan
(1967)
Broadway House,
68-74 Carter Lane, London, England.
- also -
Humanities Press, New York.
- "Child Placement" Esther Glickman,
Columbia University Press,
New York. 1957
- "Casework Services for Children" Henrietta Gordon,
Houghton Mifflin Company,
Boston. 1956
- "The Art of Child Placement" Jean Charnley,
William Byrd Press, Inc.,
Richmond, Virginia.
- "The Self-Image of the Foster Child" Eugene A. Weinstein,
Russell Sage Foundation,
New York. 1960

- "Selecting Foster Parents - The Ideal and the Reality" Martin Wolins,
Columbia University Press,
1963.
- "Readings in Adoption" I. Evelyn Smith,
Philosophical Library Inc.,
New York.
- "Adoption and After" Louise Raymond,
Harper & Brothers,
New York.
- "Parents, Children and Adoption" Jane Rowe,
Humanities Press Inc.,
303 Fourth Avenue,
New York 10, New York.
- "Adoption Today" Rael Jean Isaac,
Harper & Rowe,
New York.
- "Mr. Fairweather and Family" Margaret Kornitzer,
Queenswood House Limited,
17 Prince Arthur Avenue,
Toronto 5, Ontario, Canada.
- "Adopted When Older"
*(a report of successful adoptions
despite the fact that many of the
children concerned had been deprived
and neglected during early childhood)* Alfred Kadushin,
Columbia University Press,
44.
- "How They Fared in Adoption"
*(a follow-up study Child Welfare
League of America)* Jaffee & Fanshel,
Columbia University Press,
1970
- "The Children" Jan de Hartog,
McLelland & Stewart.
- "Shared Fate" David Kirk,
Collier-MacMillan,
Canada Limited, 1964
- "The Adopted Family" Ruth Michaels & Florence Brown,
Crown Publishers Inc.,
New York.

